

Ordinance No. 05-071

An ordinance amending the "Fire Prevention" Chapter of the Code of the City of Arlington, Texas, 1987, through the repeal of the existing "Fire Prevention" Chapter, and the adoption of a new "Fire Prevention" Chapter; providing for the adoption of the 2003 International Fire Code with certain amendments and deletions; providing for adoption of certain appendices of the 2003 International Fire Code, with certain amendments and deletions; providing for a fine of up to \$2,000 for each offense in violation of the ordinance; providing this ordinance be cumulative; providing for severability; providing for governmental immunity; providing for injunctions; providing for publication and becoming effective November 1, 2005

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the "Fire Prevention" Chapter of the Code of the City of Arlington, Texas, 1987, is hereby amended through the repeal of the existing "Fire Prevention" Chapter, and by the adoption of a new "Fire Prevention" Chapter, so that hereafter said Chapter shall be and read as follows:

ARTICLE I

GENERAL PROVISIONS

Section 1.01 Title

This Chapter shall be known as the "Fire Code" of the City of Arlington.

Section 1.02 Adoption of Code

The International Fire Code, 2003 Edition, as adopted and published by the International Code Council, is hereby adopted and designated together with the additions, deletions and amendments hereinafter contained, as the Fire Code of the City of Arlington, the same as though such Code was copied at length herein. A copy of the International Fire Code and its Appendices shall be kept on file in the Office of the City Secretary.

Section 1.03 Amendments, Additions and Deletions

The adoption of the International Fire Code, as provided in Section 1.02 above, is modified and amended by the following:

1. The amendment of Section 102.4, entitled Application of building codes, to read as follows:

102.4 Application of other codes. The design and construction of new structures shall comply with this code, and other codes as applicable. Repairs, alterations and additions to existing structures shall comply with this code and the International Existing Building Code.

2. The amendment of Section 102.6, entitled Referenced codes and standards, to read as follows:

102.6 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 45 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC Electrical Code shall mean the Electrical Code as adopted.

3. The amendment of Section 103, entitled DEPARTMENT OF FIRE PREVENTION, to read as follows:

SECTION 103 DEPARTMENT OF FIRE PREVENTION

103.1 General. The department of fire prevention established within the fire department under the direction of the Chief shall consist of fire department personnel assigned thereto by the Chief. The function of the department shall be to assist the Chief in the implementation, administration and enforcement of the provisions of this code.

103.2 Fire Prevention Bureau personnel and police. The Chief and members of the fire prevention bureau shall have the powers of a police officer in performing their duties under this code.

When requested to do so by the Chief, the Chief of Police is authorized to assign such available police officers as necessary to assist the fire department in enforcing the provisions of this code.

103.3 Liability. The Fire Code Official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties.

103.3.1 Legal defense. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The Fire Code Official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of fire prevention, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

All regulations provided in this Fire Code are hereby declared to be governmental and for the benefit of the general public. Any member of the City Council, any City Official or employee or any member of the Board of Appeals charged with the enforcement of this Fire Code, acting for the City in the discharge of their duties, shall be indemnified and defended by the City of Arlington in accordance with the provisions of Article IX of the "Administration" Chapter of the Code of the City of Arlington.

4. The amendment of Section 104.3, entitled Right of Entry, to read as follows:

104.3 Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this Fire Code, or whenever the Chief or authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition which makes such building or premises unsafe, the Chief or authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Chief by this Fire Code. If such

building or premises are occupied, authorized representative shall first present proper credentials and request entry. If such building or premises are unoccupied, the Chief or authorized representative shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, or if no owner or other person having charge or control of the building or premises can be located, the Chief or authorized representative shall obtain a warrant pursuant to the guidelines of Article VII of the "Court" Chapter of the Code of the City of Arlington.

5. The amendment of Section 104.11, entitled Authority at Fires and Other Emergencies, by the addition of Sections 104.11.4 and 104.11.5, to read as follows:

104.11.4 Utilities. The Chief or any member of the Fire Department shall have the authority, in time of emergency, to order the disconnection of gas or electrical utilities to a building when deemed necessary for the public safety, without liability therefor.

104.11.5 Evacuation. The Chief or any member of the Fire Department shall have the authority, in time of emergency, to order the evacuation of a building or structure when deemed necessary for the safety of occupants thereof, and it shall be unlawful for any person to refuse to evacuate upon such order, or to resist or obstruct the evacuation of other persons.

6. The addition of Section 104.11.6, entitled Disaster Authority., to read as follows:

104.11.6 Disaster Authority. The Chief or any members of the Fire or Police Department shall have the authority during the period of a federal, state or city emergency or disaster declaration to evacuate areas, control traffic or take other action, or take no action as necessary to deal with a situation when such action or inaction may save lives, prevent human suffering or mitigate property damage. An action or inaction is "effective" if it in any way contributes or can reasonably be thought to contribute to preserving lives or property or prevent human suffering.

7. The addition of Section 104.12, entitled Governmental Immunity., to read as follows:

104.12 Governmental Immunity. This Fire Prevention Chapter is an exercise by the City of Arlington of its

governmental functions for the protection of the public peace, health and safety; and neither the City nor agents and representatives of said City (or any individual, receiver, firm, partnership, corporation, association, trustee or any of the agents thereof, in good faith carrying out, complying with or attempting to comply with any order, rule or regulation promulgated pursuant to the provisions of this Ordinance) shall be liable for any damage sustained to persons or property as the result of said activity.

8. The addition of Section 104.13, entitled Standard of Care for Emergency Action., to read as follows:

104.13 Standard of Care for Emergency Action. Every officer, agent or employee of the City, and every officer, agent, or employee of an authorized provider of emergency services, including , but not limited to every unit of government or subdivision thereof, while responding to emergency calls or reacting to emergency situations, regardless of whether any declaration of emergency has been declared or proclaimed by a unit of government or subdivision thereof, is hereby authorized to act or not to act in such a manner to effectively deal with the emergency. An action or inaction is "effective" if it in any way contributes or can reasonably be thought by the provider of such emergency service to contribute to preserving any lives or property. This Section shall prevail over every other ordinance of the City and, to the extent to which the City has the authority to so authorize, over any other law establishing a standard of care in conflict with this Section. Neither the City nor the employee, agent, or officer thereof; or other unit of government or subdivision thereof or its employees, agents, or officers shall be liable for failure to use ordinary care in such emergency. It is the intent of the City Council, by passing this Ordinance, to assure effective action in emergency situations by those entrusted with the responsibility of saving lives and property by protecting such governmental units from liability, and their employees, agents, and officers from non-intentional tort liability to the fullest extent permitted by statutory and constitutional law. This Section shall be liberally construed to carry out the intent of the City Council.

9. The amendment of Section 105, entitled Permits, by the amendment of Section 105.1.1, to read as follows:

105.1.1 Permits required. Permits as required by this Fire Code shall be issued by the Fire Marshal's

Office upon the approval of the Chief or designated representative. Such permits shall be issued in compliance with this Fire Code.

105.1.1.1 Occupancy Permit. The occupancy permit as required by this Fire Code shall be the Certificate of Occupancy issued by the Building Official in compliance with the provisions of the Fire Code and other related construction and health codes.

105.1.1.2 Other Permits. Specific permits or special permits which are unrelated to construction or health codes may be issued by the Fire Marshal when dealing with items specifically pertaining to fire prevention.

105.1.1.3 Penalties. Permit fees shall be tripled if a contractor has begun work without a permit. For the second and subsequent occurrence by the same contractor within two (2) years, the permit fees shall be quadrupled.

A permit fee of \$50.00 will be assessed for plans that have been re-submitted more than two times (2X) and for each time thereafter.

After the effective date of this ordinance, the listed fees or any other fees related to this Fire Code may be changed as set by resolution of the City Council.

10. The amendment of Section 105.2, entitled Application, to read as follows:

105.2 Application for Permit. All applications for a permit required by this Fire Code in Section 105.6 shall be made to the Fire Marshal's Office in such form and detail as required by the Fire Prevention Division. Applications for permits shall be accompanied by such plans, calculations or specifications as required by the Fire Prevention Division.

11. The amendment of Section 105.4.1, entitled Submittals, to read as follows:

105.4.1 Submittals. Construction documents shall be submitted in two or more sets and in such form and detail as required by the Fire Code Official. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed.

An electronic version of the approved site plan showing fire lanes, water lines and fire hydrants; and

the approved floor plan with rooms labeled as to use shall be provided prior to the issuance of the building permit for all new construction, additions and/or remodels over 30% of the building. Fire sprinkler plans and fire alarm plans shall be provided in electronic format for new construction, additions and/or remodels involving 30% of the system.

12. The amendment of Section 105.6, entitled Required operational permits, to read as follows:

105.6 Required operational and construction permits and fees. A permit shall be obtained from the Fire Marshal's Office prior to engaging in any of the listed activities, operations or functions. Permit fees shall comply with the following schedule, as amended, subject to the penalties listed in Section 105.1.1.3.

1. Installation of grass pavers for use in a fire lane.
 - * - \$100 for the first two hundred feet (200') or portion thereof.
 - * - \$200 for every additional four hundred feet (400').
2. All permits required by Section 3301.2 for explosive materials - \$100.00.
3. To conduct authorized burning operations - \$1,000.00.
4. Direction of fireworks displays - \$100.00 per display date. The Chief or authorized representative may waive this fee for civic or nonprofit organizations.
- 4A. Pyrotechnic Special or Theatrical Effects - \$50.00. per event. (An annual permit may be issued in the amount of \$500.00).
- 4B. Flame Effects - \$50 per event. (An annual permit may be issued in the amount of \$500). Only required if not used in conjunction with either fireworks display or pyrotechnic permit.
5. Installation or testing of underground flammable liquid storage tank systems - \$300.00 per location. Testing of lines only - \$100.00 per location. Installation of miscellaneous systems or equipment - \$100.00.

- 5A1. Aboveground Waste Oil Tank - \$50.00.
- 5C1. Aboveground Protected Tank - \$100.00.
- 5C2. Aboveground Inside Waste Oil Tank - \$50.00.
- 5C3. Airport Refueling Units- \$200.00 per year.
- 5C4. Mobile Fueling - \$200.00 per year per site.
6. Removal of underground flammable liquid storage tanks - \$50.00 per tank.
- 6A. Abandonment of Underground Tanks/Lines - \$200.00 per tank.
7. Installation of, dry chemical, wet agent, carbon dioxide or other fire extinguishing systems or standpipe systems and the testing thereof to include underground piping - \$75.00 per system.
8. Installation of fire alarm systems -
- | | |
|-------------------|-------|
| 1 - 10 devices | \$50 |
| 11 - 25 devices | \$75 |
| 26 - 100 devices | \$150 |
| 101 - 200 devices | \$200 |
| 201 - 500 devices | \$400 |
- An additional \$1.00 per device for each device over five hundred (500).
- 8A. Installation of Special Locking System - \$200.00.
9. Installation of any LP gas container larger than one hundred-twenty (120) gallons water capacity - \$75.00 per container.
12. Installation of automatic sprinkler systems and the testing thereof:
- 12A. Underground - \$100.
- 12B. Aboveground, 1 - 19 heads - \$50.00.
- Aboveground, 20 - 100 heads - \$75.00.
- Aboveground, 101 - 300 heads - \$150.00.
- Aboveground, 301 - 1000 heads - \$300.00.
- An additional \$1.00 per head for each head over one thousand (1000).
- Fire Pump - additional \$100.00

13. Residential (Group R-3 Occupancies) Automatic Sprinkler System - \$50.00.
14. Installation of a smoke control system - \$100.00 per system.
16. Installation of the underground piping and private fire hydrants.
 - * - \$100.00 for first two hundred feet (200') or portion thereof, including any fire hydrants.
 - * - \$200.00 for every additional four hundred feet (400') or portion thereof, including fire hydrants.
13. The deletion of Section 105.7 entitled Required construction permits.
14. The amendment of Section 106.1, entitled Inspections, by the addition of Sections 106.1.1 and 106.1.2, to read as follows:

106.1.1 Inspection Fees. Any occupancy hereafter opening for the purpose of doing business in the City of Arlington, as evidenced by application to the Building Official for a Certificate of Occupancy, shall pay a fee for an initial Fire Code compliance inspection and for the establishment of an inspection file. This fee shall be set from time to time by resolution of the City Council and shall be collected by the Building Official at the same time that the Certificate of Occupancy fee is collected.

106.1.2 Re-inspection Fees. When it has been determined that a fire hazard or violation of this Fire Code exists in or upon any property, structure, vehicle, system or process, and the period of time given to correct the fire hazard or violation has expired, the Chief or authorized representative shall conduct a re-inspection.

 - A re-inspection fee of \$30.00 may be charged for the third re-inspection.
 - A fee of \$50.00 may be charged for the fourth and subsequent re-inspections.
 - A fee of \$100.00 may be charged for the second and subsequent re-inspections of all acceptance tests.

After the effective date of this ordinance this fee may be changed or set from time to time by resolution of the City Council, collected by the City of Arlington and payable by the person receiving the order or notice to correct the violation. Payment of fees or fines assessed under this chapter does not permit or excuse the continuation of a violation or the fire hazard.

15. The amendment of Section 108, entitled Board of Appeals, to read as follows:

108.1 Building Code Board of Appeals Sitting as Fire Prevention Board of Appeals. In order to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this Fire Code, the Building Code Board of Appeals as created and organized under the "Construction" Chapter of the Code of the City of Arlington shall pass upon all pertinent matters. In addition to such Board, the Chief or authorized representative may request that additional members be appointed for a specific ruling or interpretation. Such members shall be ex-officio members and shall be appointed by the Chairman of the Building Code Board of Appeals to assist in the determination and/or ruling of a specific issue or case. Such appointment shall be temporary until the ruling is rendered. No more than two (2) ex-officio members shall be appointed at such time, each having expertise in the matters in question.

108.2 Quorum. A majority of the members of the Board shall constitute a quorum for the transaction of business, and an affirmative vote by a majority of all members of the Board shall be required to vary the application of any provision of this Fire Code or to modify any order of the Chief or authorized representative. No Board member shall act in any case in which he has a personal interest.

108.3 Records. The Chief or authorized representative shall act as Secretary of the Fire Prevention Board of Appeals and shall make a detailed record of all its proceedings, which record shall set forth the reasons for the Boards decisions, the vote of each member participating therein, the absence of a member and any failure of a member to vote.

108.4 Procedure. The Board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this Fire Code. The Board shall meet at regular intervals to be determined by

the Chairman or within thirty (30) days after notice of appeal has been received by the Board.

108.5 Appeals; Time Limit. Whenever the Chief or authorized representative shall reject or refuse to approve the mode or manner of fire prevention or fire safety proposed to be followed, or materials to be used in the erection or alteration of a building or structure, or when it is claimed that the provisions of this Fire Code do not apply or that an equally good or more desirable form of fire prevention or fire safety can be employed in any specific case, or when it is claimed that the true intent and meaning of this Fire Code or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner of such building or structure or duly authorized agent may appeal the decision of the Chief or authorized representative to the Board. Notice of appeal shall be made in writing and filed within thirty (30) days after the decision is rendered by the Chief or authorized representative. An administrative fee shall accompany such notice of appeal, which shall be made on a form provided by the Chief. The amount of such fee shall be as defined in Article V, Required Fees, of the "Construction" Chapter of the Code of the City of Arlington.

In case of a condition which, in the opinion of the Chief or authorized representative, is unsafe or dangerous, the Chief or authorized representative may limit the time for such appeal to a shorter period. Nothing in this Section shall act to limit the ability of the Chief to exercise powers granted in other sections of this Fire Code to respond to immediate hazards and emergencies. Initiating work, or progressing with that portion of work which is the particular issue on appeal or progressing with work which would cover the matter on appeal, shall void such appeal.

108.6 Board Decisions; Variations and Modifications. The Board, when appealed to, shall conduct a hearing, and after such hearing, may vary the application of any provision of this Fire Code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this Fire Code or the public interest, or when, in its opinion, the interpretation of the Chief or authorized representative should be modified or reversed. The Board may recommend to the City Council such new legislation as is consistent therewith.

A decision of the Board to vary the application of any provision of this Fire Code or to modify an order of the Chief or authorized representative shall specify in what manner such variation or modification is made, the conditions upon which it is made and the reasons therefor.

All decisions of the Board shall reflect alternative or equivalent provisions to provide for compliance with the spirit of this Fire Code. In all cases, alternative or equivalent protection shall be provided if compliance with a particular requirement is deemed to be impractical.

108.7 Board Decisions; Procedure. Every decision of the Board shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity. The decision shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the Office of the Chief or authorized representative, and shall be open to the public for inspection. A true and correct copy of the decision shall be sent by mail or otherwise to the appellant, and a copy shall be publicly posted at a prominent location within the City for two (2) weeks after the filing thereof.

The Board shall in every case reach a decision without unreasonable or unnecessary delay. If a decision of the Board reverses or modifies a refusal, order or disallowance of the Chief or authorized representative, or varies the application of any provision of this Fire Code, the Chief or authorized representative shall immediately take action in accordance with such decision.

Any person, firm or corporation aggrieved by any decision of the Board may present to a court of appropriate jurisdiction a petition, duly verified, setting forth that such decision is illegal in whole or in part, and specifying the grounds of the illegality. Unless such petition (appeal) shall be presented to the court within ten (10) days of the decision of the Board, the decision of the Board shall become final.

16. The addition of Section 109.2.5, entitled Presumption, to read as follows:

109.2.5 Presumption. The owner, occupant or person in control of any building or premises where any violation of this fire code or other ordinances of the City of Arlington relating to fire safety is found shall be prima facie responsible for such violation.

When any vehicle is in violation of any provision of this fire code, such fact shall constitute prima facie proof that the person in whose name said vehicle is registered is guilty of a violation of this fire code.

17. The amendment of Section 109.3, entitled Violation penalties, to read as follows:

109.3 Violations Penalty. Any person who:

1. violates or fails to comply with any of the provisions of this Fire Code or the standards adopted hereunder; or
2. fails to comply within the time fixed herein with any order made by the Chief or authorized representative under any of the provisions of this Fire Code or the standards adopted hereunder, from which no appeal has been taken, or which has been affirmed or modified by a court of competent jurisdiction; or
3. builds in violation of any detailed statement, specifications or plans submitted and approved under the provisions of this Fire Code or the standards adopted hereunder, from which no appeal has been taken; or
4. builds in violation of any certificate or permit issued under the provisions of this Fire Code or the standards adopted hereunder, from which no appeal has been taken; or
5. permits any fire hazard to exist in or upon any occupancy, premises or vehicle under their control, operation, maintenance or possession;
6. fails to comply with orders, notices, signs and/or tags;
7. tampers with signs and/or tags;

shall be guilty of a misdemeanor punishable by a fine not to exceed \$2,000.00 for each violation and act of noncompliance. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations of defects within a reasonable time specified by the Chief or authorized representative. When not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

18. The addition of Section 110.1.3, entitled Compliance, to read as follows:

110.1.3 Compliance. No person shall remain in or enter any premises, building or vehicle which has been so posted, except that entry may be made to repair, demolish or remove the fire hazard or unsafe condition. Such entry or the destruction, defacing or removal of said notice prior to approval by the Chief or authorized representative shall be a violation of this Fire Code.

19. The amendment of Section 110.3, entitled Summary Abatement, to read as follows:

110.3 Summary Abatement. All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage or abandonment as specified in this Fire Code or any other effective statute or ordinance, are, for the purpose of this section, unsafe buildings. All such unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in the "Construction" Chapter of the Code of the City of Arlington.

20. The amendment of Section 111.4, entitled Failure to comply, to read as follows:

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of up to \$2000.00.

21. The amendment of Section 202, entitled General Definitions, by the addition of the following definitions:

Authorized Representative. Shall include, but not be limited to Fire Inspector, Building Inspector, Code Enforcement Inspector, Housing Inspector and Police Officers.

Bureau of Fire Prevention is the Fire Prevention Division of the Fire Department of the City of

Arlington. This Division may also be known as the Fire Marshal's Office.

Replace the definition of Code Official with the following:

Fire Code Official. The Fire Chief or other designated authority charged with the administration and enforcement of this code, or a duly authorized representative. Wherever the term Code Official occurs in the International Fire Code, it is to be replaced by the term Fire Code Official.

Fire Watch. A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or standby personnel when required by the fire code official, for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

High-Rise Building is a building having floors used for human occupancy located more than 75 feet above the lowest level of fire department vehicle access.

Self-Service Storage Facility. Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

Standby Personnel. Qualified fire service personnel, approved by the Fire Chief. When utilized, the number required shall be as directed by the Fire Chief. Charges for utilization shall be as normally calculated by the jurisdiction.

22. The amendment of Section 307.1, entitled General, to read as follows:

307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with this section. Open burning shall be conducted in trenches with approved equipment and in accordance with Section 307.

EXCEPTION: Recreational fires shall be in accordance with Section 307.3.2.

23. The amendment of Section 307.2, entitled Permit required, to read as follows:

307.2 Permit required. A permit shall be obtained from the Fire Code Official in accordance with Section 105.6 prior to kindling a fire for open burning or recreation. Recreational fires shall only be allowed when approved and permitted by the Fire Code Official.

24. The addition of Section 307.2.3, entitled Unauthorized burning, to read as follows:

307.2.3 Unauthorized burning. The building of fires upon the paved portions of public streets and right-of-way; building of warming fires at construction sites; and building fires for the purpose of burning trash, leaves, grass clippings or debris is prohibited except as otherwise provided for by this code. Any such fire shall be immediately extinguished.

25. The amendment of Section 307.3, entitled Location and amendment of 307.3.1, and 307.3.3, to read as follows:

307.3 Location. Open burning shall not be conducted within 1,000 feet of any structure. Conditions which could cause the fire to spread to within 1000 feet of a structure shall be eliminated prior to ignition.

307.3.1 Bonfires. Bonfires are prohibited within city limits.

307.3.3 Trench Burns. Trench burns shall be conducted in air curtain trenches and in accordance with Section 307.2.

26. The amendment of Section 307.4, entitled Attendance, to read as follows:

307.4 Attendance. Open burning, trench burns, or recreational fire shall constantly be attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dir, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

27. The amendment of Section 308.3.1, entitled Open-flame cooking devices, to read as follows:

308.3.1 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated or located on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One- and two-family dwellings.

28. The amendment of Section 308.3.1.1, entitled Liquefied-petroleum gas-fueled cooking, by Deletion.
29. The amendment of Section 311.2.2, entitled Fire protection, by the deletion of the exceptions.
30. The amendment of Chapter 3, entitled General Precautions Against Fire by the addition of Section 316 to read as follows:

Section 316

REMOVAL OF DEBRIS OR PARTIALLY BURNED BUILDING AFTER FIRE

316.1 Useless Material. The owner or person in control or possession of any hay, straw, bales of wool, cotton, paper or other substances which have been rendered useless or unmerchantable by reason of any fire shall remove said articles within forty-eight (48) hours after notice has been given by the Fire Code Official.

316.2 Burned structures. Whenever any building or other structure in the City is partially burned, the owner or the person in control shall, within ten (10) days after notice from the Fire Code Official or the Building Code Official or their authorized representative, remove from the premises all refuse, debris, charred and partially burned lumber and material. If such building or other structure is burned to such an extent that it is rendered incapable of being repaired, the owner or the person in control shall, within ten (10) days after notice from the Fire Code Official or the Building Code Official or their authorized representatives, remove from the premises all the remaining portions of the building or structure.

31. The amendment of Section 405.1, entitled General, to read as follows:

405.1 General. Emergency evacuation drills complying with the provisions of this section shall be conducted in the occupancies listed in Table 405.2 or when

required by the fire code official. Drills shall be designed in cooperation with the local authorities.

32. The amendment of Section 408.5.4, entitled Drill Frequency, to read as follows:

408.5.4 Drill frequency. Emergency evacuation drills shall be conducted at least twelve times per year, four times per year on each shift.

33. The amendment of Section 503.1, entitled Where required, to read as follows:

503.1 Where required. Fire apparatus access roads, hereinafter also known as fire lanes, shall be provided and maintained in accordance with the provisions of Section 503. All fire lanes shall be approved by the Fire Department, and plans shall be submitted for approval prior to starting construction of the adjacent building. Structural aspects of fire lanes shall meet all other applicable standards under the Code of the City of Arlington. No person shall mark, post or otherwise identify a non-fire lane street, whether public or private, as a fire lane.

34. The amendment of Section 503.1.1, entitled Buildings and facilities, to read as follows:

503.1.1 Buildings and facilities. All buildings, facilities or structures shall be constructed in such a way that every part of the first story is within one hundred fifty feet (150') of a dedicated street or fire lane as measured by the route necessary to extend firefighting hose lines around the building. The path of measurement shall be along a minimum of a ten-foot (10') wide unobstructed pathway around the external walls of the structure.

EXCEPTIONS: The Fire Code Official is authorized to increase the dimension of 150 feet where:

1. The building is equipped throughout with an approved automatic sprinkler system.
2. Fire apparatus access roads cannot be installed due to location on property, topography, waterways, non-negotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
3. There are not more than two (2) Group R-3 or Group U occupancies.

4. When a building is provided with a complete automatic fire sprinkler system and the building exceeds one hundred fifty feet (150') in length or width on any side, a fire lane or dedicated street shall be within one hundred fifty feet (150') of the entire length of one (1) of the longest sides of the building.
 5. Approved wall hydrants shall be provided when deemed necessary by the Chief or authorized representative.
35. The addition of Sections 503.1.4, 503.1.5 and 503.1.6.
- 503.1.4 Designated Fire Lane List. Fire lanes conforming to the specifications of Section 503 may be required by the Chief or authorized representative for existing buildings when conditions justify their need. When approved by the Fire Department, the fire lane may be entered on the Designated Fire Lane List for the City of Arlington.
- 503.1.5 Maintenance. All designated fire lanes shall be maintained and kept in a state of good and workmanlike condition and repair at all times by the owner or person in control of the premises. If permitted, growth shall not be more than two inches (2") in height and shall not cover up any markings identifying the fire lane. The City shall not be responsible for the maintenance thereof.
- 503.1.6 Enforcement. The Fire Chief or Police Chief, or their authorized representatives, are hereby authorized to monitor fire lanes to detect obstructions and may issue citations, remove and impound any vehicle obstructing said fire lane, or both. Additionally, any duly authorized City inspector whose duty it is to enforce the provisions of the Code of the City of Arlington may issue citations for such violations.
36. The amendment to Section 503.2, entitled Specifications, to read as follows:
- 503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8
- 503.2.1 Dimensions. The minimum unobstructed width of a fire lane shall be not less than twenty-four feet (24') and an unobstructed vertical clearance of not less than fourteen feet (14') unless otherwise approved by the Fire Department.

503.2.2 Authority. The Fire Code Official shall have the authority to require an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations.

503.2.3 Surface. Fire lanes shall be provided with a concrete or asphalt surface to provide all-weather driving capabilities and shall be constructed to support the imposed weight of a sixty thousand pound (60,000#) vehicle.

Exception: Grass pavers may be used in place of concrete or asphalt, when approved by the Fire Code Official. If approved, the Fire Lane must be bordered on both sides by a 6-inch raised concrete curb, which runs continuously the entire length of the grass paver installation. Prior to installation, plans must be submitted detailing installation specifications and a permit must be obtained from the Fire Department. The installation must meet all other requirements of Section 503 of this Fire Code.

503.2.4 Turning Radius. All fire lanes shall have at least a thirty foot (30') inside turning radius and at least a fifty-four foot (54') outside turning radius.

503.2.5 Dead ends. When it is not possible to connect a fire lane at both ends to a dedicated street, an approved turn-around shall be provided. Dead-end fire lanes shall not exceed one hundred fifty feet (150') in length. For illustration see Arlington Fire Department Development Handbook.

503.2.6 Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO *Standard Specification for Highway Bridges*. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the Fire Code Official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the Fire Code Official.

503.2.7 Grade. The grade for a fire lane serving a building not protected throughout by a complete automatic sprinkler system shall not exceed eight percent (8%).

503.2.8 Speed bumps. Speed bumps or other similar obstacles which have the effect of slowing or impeding the response of fire apparatus shall be approved by the Fire Department prior to installation.

37. The amendment of Section 503.3, entitled Marking, by the addition of Sections 503.3.1, 503.3.2, and 503.3.3, to read as follows:

503.3.1 Specifications for Marking. All required fire lanes shall be provided and maintained with fire lane striping which consists of a six inch (6") wide red background stripe with four inch (4") high white letters stating "**NO PARKING FIRE LANE**" or "**FIRE LANE NO PARKING**" to be painted upon the red stripe no less than every ten feet (10') and no greater than every twenty-five feet (25') along the entire length of the fire lane, showing the exact boundary of the fire lane. Fire lane markings shall be upon the vertical surface of the curb unless otherwise approved by the Chief or authorized representative. For illustration, see Arlington Fire Department Standard Operating Procedures (SOPs).

503.3.2 Additional Signs. If the Chief or authorized representative determines that other means of notice are ineffective to designate a fire lane, signs may be required by written notice to the property owner. These signs shall be in accordance with the requirements of the Texas Manual of Uniform Traffic Control Devices. When required, these signs shall be erected and maintained bearing a red legend stating "**NO PARKING FIRE LANE**" with letters of at least two inches (2") in height on a white reflectorized background at least twelve inches (12") wide by eighteen inches (18") tall. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6'6") above finished grade. Signs shall be spaced not more than fifty feet (50') apart. Signs may be installed on permanent buildings or walls as approved by the Chief or authorized representative. Additional signs may also be required by written notice from the Chief or authorized representative.

503.3.3 Alternate Markings. When, due to a building's particular use, the Chief or authorized representative determines that fire lane markings are impractical. The words "**NO PARKING LOADING ZONE**" or "**LOADING ZONE NO PARKING**", painted black, may be substituted for the words "**NO PARKING FIRE LANE**" or "**FIRE LANE NO PARKING**" and the six inch (6") red stripe may be painted as a six inch (6") yellow

stripe, but all other provisions of Chapter 5 shall apply.

38. The amendment of Section 503.4, entitled Obstruction of fire apparatus access roads as follows:

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 and any area marked as a fire lane as described in Section 503.3 shall be maintained at all times.

39. The amendment of Section 503.6, entitled Security gates, to read as follows:

503.6 Security gates. Where security gates are installed, they shall be maintained and an approved means of emergency operation shall be provided and maintained. An Opticom receiver is required at all new installations of security gates across streets or fire lanes at apartments, subdivisions, and other locations as required by the Fire Code Official.

40. The amendment of Section 505.1, entitled Address Numbers, to read as follows:

505.1 Address numbers. Approved numbers or addresses shall be placed on all new and existing buildings, structures/mobile homes in such a position as to be plainly visible and legible from the street or road fronting the property. Address numbers may be posted upon approved ground signs, if permitted by the Sign Chapter of the Zoning Ordinance, with address numbers being a minimum of twenty four inches (24") above grade. Said numbers shall be a minimum of four inches (4") tall and contrast with their background. However, numbers for multi-family dwelling complexes shall comply with Article XVI of the "Uniform Housing" Chapter of the Code of the City of Arlington.

41. The amendment of Section 508.4, entitled Water supply test, to read as follows:

508.4 Water supply test. When flow or pressure test results are given at the request of any person, a fee of \$30.00 may be charged. After the effective date of this ordinance this fee may be set from time to time by resolution of the City Council.

42. The amendment of Section 508.5.1, entitled Where required, to read as follows:

508.5.1 Where required. An approved water supply capable of supplying required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed. Fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Chief or authorized representative.

The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on the site of the premises to be protected as required and approved by the Chief or authorized representative. Said fire hydrants shall be installed in accordance with the following criteria.

1. For all one (1) and two (2) family residences, excluding townhouses and apartments, fire hydrants shall be installed when any portion of the building protected is in excess of six hundred feet (600'), as measured by the laying distance for fire apparatus hose lines along public streets and rights-of-way, from the nearest water supply on a public street.
 2. For all other land uses, except one (1) and two (2) family residences, including townhouses and apartments, fire hydrants shall be installed when any exterior portion of the building protected is in excess of five hundred feet (500'), as measured by the laying distance for fire apparatus hose lines along public streets and rights-of-way, from the nearest water supply on a public street.
 3. A fire hydrant shall be installed no more than two hundred feet (200') from the Fire Department connections for a standpipe or automatic sprinkler system. For high-rise buildings, the Fire Department connection shall be within twenty-five feet (25') of the street.
 4. A fire hydrant shall be placed at all intersecting streets to cul-de-sacs two hundred feet (200') and greater in length.
 5. An additional fire hydrant is required for every 2000 gpm of fire flow for unsprinkled buildings.
43. The addition of Section 508.5.1.1, entitled Non-functioning hydrants, to read as follows:

508.5.1.1 Non-functioning Hydrants. It shall be unlawful for any person to cause, suffer, allow or maintain a nonfunctioning fire hydrant within fifteen feet (15') of the back of a street curb or edge of a roadway. For purposes of this section, "nonfunctioning" fire hydrant shall be defined as a fire hydrant or object reasonably intended to resemble a fire hydrant, whether for purposes of ornamentation or otherwise, which is incapable of supplying water from the distribution system for fire protection.

44. The addition of Section 511 entitled Automatic External Defibrillator (AED) Requirements, to read as follows:

511 Automatic External Defibrillator (AED) Requirements.

511.1 "Automated External Defibrillator (AED)" means a heart monitor and defibrillator that meets the requirements of the Texas Health and Safety Code and applicable federal law, as amended.

511.2 "AED Owner" means a person or entity that owns or possesses an Automatic External Defibrillator. Vendors or dealers that own or possess AEDs solely for resale are not included as owners for the purposes of this ordinance.

511.3 Duties of AED Owner. Any person who presently owns or acquires an AED on or after the effective date of this ordinance, other than vendors or dealers of AEDs owning or possessing AEDs solely for resale purposes, shall:

511.3.1 Register the AED with the Arlington Fire Department Emergency Medical System Administrator. The registration shall include information about AED location, and the names of all persons expected to operate the AED, and the dates of training. A form will be provided by the Fire Chief;

511.3.2 Inspect, test, store, maintain and service the AED in accordance with all federal and state laws and regulations, and in accordance with any standards established by the AED manufacturer;

511.3.3 Notify the Arlington Fire Department as soon as possible, but in no event any later than 24 hours following any use of the AED, and provide the Arlington Fire Department with information relevant to the incident, including

but not limited to the date, time and location of use, name of person the AED was used upon, the printout from the AED, and the nature of other emergency response to the incident, including the name and address of any hospital, clinic or medical provider to which the person was transported following the AED use; and

511.4 Any AED possessed and used solely for demonstration or training purposes, and which would not be operational in an actual emergency use situation, shall be exempt from the registration requirements of this section. Any such AED shall be clearly marked on its exterior and readily identifiable as not appropriate for emergency use.

511.5 AED Sales. All persons selling an AED within the city, or which may reasonably be anticipated to be used within the city, shall:

511.5.1 Report the sale of the AED to the Fire Department. The information to be reported shall include the date of the sale, the manufacturer, model and serial number of the AED sold, the name and address of the seller and name of the purchaser, whether the AED sold is new or previously used, and, if known, the location where the AED is to be placed; and

511.5.2 Require that the purchaser provide proof that it has or will have complied with the training and other requirements of this ordinance at the time of transfer of the AED to the purchaser for deployment and use by the purchaser.

45. The amendment of Section 603.4, entitled Portable unvented heaters, to read as follows:

603.4 Portable unvented heaters. The use of portable unvented oil-burning heating appliances shall be limited to supplemental heating in Group U occupancies.

EXCEPTION: When approved by the Fire Code Official, portable unvented oil-burning heating appliances may be used in any occupancy during the construction process when such use is necessary for construction and the use does not represent a hazard to life or property.

46. The amendment of Section 704.1, entitled Enclosure, to read as follows:

704.1 Enclosure. Interior vertical shafts, including but not limited to stairways, elevator hoistways, service and utility shafts, that connect two or more stories of a building shall be enclosed or protected in accordance with the codes in effect at the time of construction but, regardless of when constructed, not less than as specified in Table 704.1. When openings are required to be protected, openings into such shafts shall be maintained self-closing or automatic-closing by smoke detection. Existing fusible-link-type automatic door-closing devices are permitted if the fusible link rating does not exceed 135°F (57°C).

47. The deletion of Sections 803.3.2 and 803.4.2, entitled Artwork.

48. The amendment of Section 804.1.1, entitled Restricted Occupancies, by amendment to the exceptions to read as follows:

EXCEPTIONS:

1. Trees located in areas protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 shall not be prohibited in Groups A, E, M, R-1 and R-2.

2. Trees shall not be prohibited inside private dwelling units of Group R-2 Occupancies.

49. The amendment of Section 901.6, entitled Inspection, testing and maintenance, by the addition of Sections 901.6.3 and 901.6.4, to read as follows:

901.6.3 Registration and Licensing. A company, firm or organization which sells, services, installs, maintains or provides supervision of a fire alarm or extinguishing system shall have a valid Certificate of Registration and current license issued by the State Fire Marshal's Office under the Texas Department of Insurance. Companies, firms or organizations which provide required fire alarm supervision shall operate in accordance with National Fire Protection Association Standard No. 72, and shall each be listed as a Central Station in accordance with Underwriters Laboratories

901.6.4 Certificates and Inspection Tags. It shall be the owner's or occupant's responsibility to maintain a copy of the fire alarm installation certificate at the protected premises. It shall also be the owner's or occupant's responsibility to maintain upon the door of the fire alarm control panel

an inspection tag of the type provided by a State certified fire alarm company, as approved by the Chief or authorized representative, showing the date the fire alarm system was tested and the results of the test. It shall also be the owner's or occupant's responsibility to maintain upon the fire sprinkler riser, an inspection tag of the type provided by a State certified fire sprinkler company, showing the date the fire sprinkler system was inspected.

50. The amendment of Section 901.7, entitled Systems out of service, to read as follows:

901.7 Systems out of service. Where a required fire protection system is out of service or in the event of an excessive number of accidental activations, the Fire Code Official shall be notified immediately and, where required by the code official, the building shall either be evacuated or an approved fire-watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service.

Where utilized, fire-watches shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

51. The amendment of Section 902.1, entitled Definitions, "Standpipe, Types of," under "Manual dry" to read as follows:

Manual dry. A dry standpipe system that does not have a permanent water supply attached to the system. Manual dry standpipe systems require water from a fire department pumper to be pumped into the system through the fire department connection in order to supply the system demand. The system must be supervised as specified in Section 905.2.

52. The amendment of Section 903.2, entitled, Where required, to delete the exception.

53. The addition of Section 903.2.1.6, entitled Special amusement building to read as follows:

903.2.1.6 Special amusement building. Special amusement buildings shall be equipped throughout with an automatic sprinkler system.

EXCEPTION: An automatic sprinkler system need not be provided when an amusement building shall be in existence less than 30 days and when the construction

and use is approved by the Fire Code Official or authorized representative.

54. The amendment of Section 903.2.3, entitled Group F-1 to read as follows:

903.2.3 Group F-1. An automatic sprinkler system shall be provided throughout all buildings where the fire area containing a Group F-1 occupancy exceeds 12,000 square feet (1115 m²), or where more than two stories in height, or where the combined fire area on all floors, including mezzanines, exceeds 24,000 square feet (2230 m²).

55. The addition of Section 903.2.8.3, entitled Self-service storage facility.

903.2.10.3. Self-service storage facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

EXCEPTION: One-story self-service storage facilities that have no interior corridors, with a one-hour fire barrier separation wall installed between every storage compartment.

56. The amendment of Section 903.2.10.3, entitled Buildings more than 55 feet in height, to read as follows:

903.2.10.3 Buildings more than 55 feet in height. An automatic sprinkler system shall be installed throughout buildings with a floor level, other than penthouses in compliance with Section 1509 of the International Building Code, that is located 55 feet or more above the lowest level of fire department vehicle access.

EXCEPTION: Open parking structures in compliance with Section 406.3 of the IBC.

57. The addition of Section 903.2.10.4, entitled High-piled combustibile storage.

903.2.10.4 High-piled combustibile storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 23 to determine if those provisions apply.

58. The addition of Section 903.2.10.5, entitled Spray booths and rooms.

903.2.10.5 Spray booths and rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

59. The amendment of Section 903.3.1.1.1, entitled Exempt locations, to read as follows:

903.3.1.1.1 Exempt locations. When approved by the Fire Code Official, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the Fire Code Official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.

60. The amendment of Section 903.3.1.2, entitled NFPA 13R sprinkler systems, to read as follows:

903.3.1.2 NFPA 13R sprinkler systems. Required automatic sprinkler systems in Group R occupancies of four stories or less may be hydraulically calculated within the dwelling units in accordance with NFPA 13R and as amended by this code. Sprinkler protection shall be provided throughout, including the means of egress, patios, bathrooms, closets, balconies and attics.

61. The amendment of Section 903.3.1.3, entitled NFPA 13D sprinkler systems, to read as follows:

903.3.1.3 NFPA 13D sprinkler systems. Non-required automatic sprinkler systems in one and two-family dwellings and manufactured homes may be installed in accordance with NFPA 13D.

62. The amendment of Section 903.3.5, entitled Water supplies by the addition of a second paragraph to read as follows:

Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every fire protection system shall be designed with a 10 psi safety factor.

63. The amendment of Section 903.3.7, entitled Fire department connections, to read as follows:

903.3.7 Fire department connections. The location of fire department connections shall be approved by the Fire Code Official. All fire department connections in the City of Arlington shall be 4" Storz connections. The permanent Storz adapter shall be constructed of high strength, light weight, corrosion resistant aluminum alloy capable of being securely attached to standpipe/sprinkler outlets designed for fire department Storz connections. The Storz lug connection shall conform to industry standards. The hose sealing surface shall consist of a machined metal seat to eliminate rubber gaskets, coated to protect against long term exposure to the environment. The Storz connection shall connect to the pipe outlet using National Standard Thread. The connection shall be angled downward at a 30° angle. A semi-permanent ¼" mesh screen shall be provided inside the Storz adapter, constructed of corrosion resistant metal. A 4" Storz aluminum cap with chain or cable shall be provided for the fire department connection. For each additional 1500 G.P.M. required or fraction thereof an additional 4" Storz connection is required.

64. The amendment of Section 903.4, entitled Sprinkler system monitoring and alarms, to read as follows:

903.4 Sprinkler system monitoring and alarms. All valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems shall be electrically supervised and monitored by a UL listed Central Station. The fire-pump system shall also be supervised and monitored for "power available," "phase reversal" and "pump running" conditions on distinct circuits.

EXCEPTIONS:

1. Automatic sprinkler systems protecting one- and two-family dwellings.

2. Limited area systems serving fewer than 20 sprinklers.
3. Jockey pump control valves that are sealed or locked in the open position.

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tempering.

65. The amendment of Section 903.4.2, entitled Alarms, to read as follows:

903.4.2 Alarms. Approved audible devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. An approved audible/visible sprinkler flow alarm to alert the occupants shall be provided in the interior of the building in a normally occupied location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

66. The amendment of Section 903.4.3, entitled, Floor control valves, to read as follows:

903.4.3 Floor control valves. Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow.

67. The addition of Section 903.6.2, entitled, Spray booths and rooms, to read as follows:

903.6.2 Spray booths and rooms. New and existing spray booths and spray rooms shall be protected by an approved automatic fire extinguishing system in accordance with Section 1504.

68. The amendment of Section 905.2, entitled Installation standards, to read as follows:

905.2 Installation standards. Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be

supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.

69. The amendment of section 905.3.2, entitled Group A, to delete Exceptions #1 and #2.

70. The amendment of Section 905.4, entitled Location of Class I standpipe hose connections, item #5 to read as follows:

5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3 percent slope), each standpipe shall be provided with a two-way hose connection located either on the roof or at the highest landing of stairways with stair access to the roof. An additional hose connection shall be provided at the top of the most hydraulically remote standpipe for testing purposes.

71. The amendment of Section 905.9, entitled Valve supervision, to add a second paragraph after the exceptions to read as follows:

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

72. The amendment of Section 906, entitled Portable fire extinguishers, by the deletion of the exception.

73. The addition of Sections 907.1.2.1, 907.1.2.2 and 907.1.2.3 to read as follows:

907.1.2.1 Fire alarm control panel. The fire alarm control panel shall be installed in an approved location adjacent to the main entrance to the building unless otherwise approved by the Fire Code Official.

907.1.2.2 Key/Codes. Fire alarm control panel functions such as silence and reset shall be operable without the use of a key or code. The panel cover may be locked, but the function keys cannot require a key or code.

907.1.2.3 Alarm verification. Alarm verification shall be provided for smoke detectors. Alarm

verification shall be provided at the fire alarm control panel when more than thirty (30) detectors are installed.

EXCEPTION: Alarm verification is not required for single station type smoke detectors.

74. The addition of Section 907.1.3, entitled Design Standards, to read as follows:

907.1.3 Design Standards. Fire alarm systems, automatic fire detectors, emergency voice alarm communication systems and notification devices shall be designed, installed and maintained in accordance with NFPA 72 and local amendments.

All alarm systems new or replacement serving 50 or more alarm initiating devices shall be addressable fire detection systems. Alarm systems serving more than 75 smoke detectors or more than 200 total fire alarm devices shall be analog intelligent addressable fire detection systems.

EXCEPTION: Existing systems need not comply unless the total system remodel or expansion initiated after October 1998 exceeds 30% of the building. When cumulative building remodel or expansion exceeds 50%, the building must comply within 18 months of permit application.

75. The amendment of Section 907.2.3, entitled Group E, to read as follows:

907.2.3 Group E. A manual fire alarm system shall be installed in Group E educational occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

An approved smoke detection system shall be installed in Group E day care occupancies.

Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

76. The amendment of Section 907.2.3, entitled Group E, Exception #1 changed and Exceptions #1.1 and #1.2 added to read as follows:

EXCEPTIONS:

1. Group E educational and day care occupancies with an occupant load of less than 50 when provided with an approved automatic sprinkler system.
 - 1.1 Portable/Temporary buildings in Group E Educational occupancies with manual fire alarm systems are not required to be connected to the alarm system in the main building.
 - 1.2 Residential in-home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2½ or less years of age, see Section 907.2.6.)
77. The amendment of Section 907.2.7, entitled Group M by the deletion of Section 907.2.7.1, entitled Occupant Notification.
78. The addition of Section 907.2.8.2, entitled Carbon Monoxide Detectors, to read as follows:

907.2.8.4 Carbon Monoxide Detectors. In new and existing hotels and motels, carbon monoxide detectors shall be provided in all locations where there is gas-fired equipment, such as, but not limited to, dryers, HVAC, or hot water heaters. When the building is equipped with a fire alarm system, the carbon monoxide detectors shall be connected in such a manner as to cause the Fire Alarm system to sound an alarm when the carbon monoxide goes into alarm.
79. The addition of Section 907.2.9.1, entitled Manual Fire Alarm Boxes, to read as follows:

907.2.9.1 Manual Fire Alarm Boxes. Manual fire alarm boxes are prohibited in Group R-2 apartment houses less than four (4) stories in height.
80. The amendment of Section 907.2.12, entitled High-rise buildings, Exception #3 to read as follows:
 3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the International Building Code, when used for open air seating; however, this exception does not apply to accessory uses, including but not limited to, sky boxes, restaurants and similarly enclosed areas.
81. The amendment of Section 907.3.1.7, entitled Group R-2, to read as follows:

A fire alarm system shall be installed to existing Group R-2 occupancies three or more stories in height or with more than 16 dwelling units or sleeping units, where the total building remodel or renovation initiated after November 2005 exceeds 30% of the building. When cumulative complex remodel or expansion exceeds 50%, the complex must comply within 18 months of permit application.

Exceptions:

1. Where each living unit is separated from other continuous living units by fire barriers having a fire-resistance rating of not less than 0.75 hour, and where each living unit has either its own independent exit or its own independent stairway or ramp discharging at grade.
 2. A separate fire alarm system is not required in buildings that are equipped throughout with an approved supervised automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 and having a local alarm to notify all occupants.
 3. A fire alarm system is not required in buildings that do not have interior corridors serving dwelling units and are protected by an approved automatic sprinkler system installed in accordance with Sections 903.3.1.1 or 903.3.1.2, provided that dwelling units either have a means of egress door opening directly to an exterior exit access that leads directly to the exits or are served by open-ended corridors designed in accordance with Section 1022.6, Exception #4.
82. The amendment of Section 907.4, entitled Manual fire alarm boxes, by the addition of a second paragraph to read as follows:
- Manual alarm actuating devices shall be an approved double-action type.
83. The amendment of Section 907.6, entitled Wiring, by the addition of Section 907.6.1, entitled Installation, to read as follows:
- 907.6.1 Installation. All fire alarm systems shall be installed in such a manner that the failure of any single alarm-actuating or alarm-indicating device will not interfere with the normal operation of any other such devices. All systems shall be Class "A" wired with a minimum of six feet separation between supply and return loops. IDC - Class "A" style - D - SLC Class "A" style 6 - notification Class "B" Style Y.

84. The amendment of Section 907.9, entitled Zones, to read as follows:

907.9 Zones. Each floor shall be zoned separately and a zone shall not exceed 22,500 square feet (1860 m²). The length of any zone shall not exceed 300 feet (91 440 mm) in any direction. A maximum of one (1) water flow switch or three (3) tamper switches, five (5) pull stations or ten (10) smoke or heat detectors may be interconnected to be upon a single zone of a fire alarm control panel.

EXCEPTIONS:

1. Automatic sprinkler system zones shall not exceed the area permitted by NFPA 13.
2. Addressable systems.

85. The amendment of 907.9.2, entitled High-rise buildings, to read as follows:

907.9.2 High-rise buildings In buildings that have floors located more than 75 feet (16 764 mm) above the lowest level of fire department vehicle access, a separate zone by floor shall be provided for all of the following types of alarm-initiating devices where provided:

1. Smoke detectors.
2. Sprinkler water-flow.
3. Manual fire alarm boxes.
4. Other approved types of automatic fire detection devices or suppression systems.

EXCEPTION: Addressable systems.

86. The amendment of Section 907.15, entitled Monitoring, and the addition of Section 907.15.1, entitled Local alarm system, to read as follows:

907.15 Monitoring. Where required by this chapter, an approved UL listed central station in accordance with NFPA 72 shall monitor fire alarm systems.

EXCEPTION: Supervisory service is not required for automatic sprinkler systems in one- and two-family dwellings.

907.15.1 Local alarm system. When an automatic fire alarm system is not monitored by an approved central station alarm company, an external weatherproof, audible/visual alarm sounding device shall be provided in an approved location with an approved sign, with a

minimum of four-inch (4") letters, reading "WHEN ALARM SOUNDS, CALL FIRE DEPARTMENT" adjacent to the alarm-sounding device.

An approved permanent sign reading "LOCAL ALARM ONLY - CALL 9-1-1" shall be provided on or adjacent to the fire alarm control panel and all manual fire alarm pull stations.

87. The amendment of Section 1004.2, entitled Increased Occupant Load, to read as follows:

1004.2 Increased occupant load. When approved by the building official, the occupant load permitted in any building or portion thereof is permitted to be increased from that number established for the occupancies in Table 1004.1.2 provided that all other requirements of the code are also met based on such modified number and the occupant load shall not exceed one occupant per 5 square feet (0.47m²) of occupiable floor space. Where required by the fire code official, an approved aisle, seating or fixed equipment diagram substantiating any increase in occupant load shall be submitted. Where required by the fire code official, such diagram shall be posted.

88. The amendment of Section 1008.1.3.4, entitled Access-controlled egress doors, to read as follows:

1008.1.3.4 Access-controlled egress doors. The entrance doors in a means of egress in buildings with an occupancy in Group A, B, E, M, R-1 or R-2 and entrance doors to tenant spaces in occupancies in Groups A, B, E, M, R-1 and R-2 are permitted to be equipped with an approved entrance and egress access control system which shall be installed in accordance with the following criteria:

1. Egress doors shall be readily openable from the egress side without the use of a key, card or special knowledge or effort.
2. Push buttons are not allowed for egress purposes.
3. All devices utilized for exiting shall be listed for the purpose.
4. Activation of the building fire alarm system and/or sprinkler system, if provided, shall automatically unlock the doors, and the doors shall remain unlocked until the fire alarm system has been reset.
5. A Knox box may be required by the Fire Code Official for Fire Department access.

A permit from the Fire Department is required prior to the installation of any access-control and/or magnetic locking systems.

89. The amendment of Section 1008.1.8.6, entitled Delayed egress locks, to read as follow:

1008.1.8.6 Delayed egress locks. Approved, listed, delayed egress locks shall be permitted to be installed on doors serving any occupancy except Group A, E and H occupancies in buildings which are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and an approved automatic smoke or heat detection system installed in accordance with Section 907, provided that the doors unlock in accordance with Items 1 through 6 below. A building occupant shall not be required to pass through more than one door equipped with a delayed egress lock before entering an exit.

(Items 1-6 - no change.)

A permit from the Fire Department is required prior to the installation of any delayed egress locks or other special locking systems.

90. The amendment of Section 1008.1.8.7, entitled Stairway Doors, by adding Exception #4, to read as follows:

4. In stairways serving more than four stories, doors can be locked from stairway side, if lock is connected to fire alarm system and key to the door is provided in a Knox Box. Activation of fire alarm system must release locks on all stairway doors.

91. The amendment of Section 1016.1, entitled Construction, by the addition of an Exception #5 to read as follows:

5. In Group B office buildings, corridor walls and ceilings need not be of fire-resistive construction within office spaces of a single tenant when the space is equipped with an approved automatic smoke detection system within the corridor. The actuation of any detector shall activate alarms audible in all areas served by the corridor. The smoke detection system shall be connected to the building's fire alarm system where such a system is provided.

92. The amendment of Section 1019.1.8, entitled Smokeproof enclosures, to read as follows:

1019.1.8 Smokeproof enclosures. In buildings required to comply with Section 403 or 405, each of the exits of a building that serves stories where any

floor surface is located more than 75 feet (22,860 mm) above the lowest level of fire department vehicle access or more than 30 feet (9,144 mm) below the level of exit discharge serving such floor levels shall be a smokeproof enclosure or pressurized stairway in accordance with Section 909.20 of the *International Building Code*.

93. The amendment of Section 1106.8, entitled Loading and Unloading, by the addition of Section 1106.8.1, to read as follows:

1106.8.1 Truck-to-truck operations at Arlington Municipal Airport. Truck-to-truck fueling operations shall be conducted by approved fixed base operators and self-fueling operators in accordance with Section 3406.6 and the following:

1. The location of truck-to-truck refueling shall be approved by the Fire Department and the Arlington Municipal Airport Manager.
 2. All fueling operations shall be located at least two hundred feet (200') from an occupied aircraft, one hundred feet (100') from an unoccupied aircraft, one hundred feet (100') from a building and one hundred feet (100') from any source of flame or ignition.
 3. A minimum of two (2) trained attendants shall be present during all fueling operations.
 4. Both vehicles shall be properly bonded and grounded.
 5. Provision for control of accidental spills shall be provided and shall be approved by the Fire Department.
 6. An annual permit is required per Section 105.6, and the permit may be revoked if the above is not complied with or if a hazardous condition is created by the truck-to-truck fueling operation.
94. The deletion of Section 1410.1, entitled Required Access.
95. The amendment of Section 1501, entitled General, by the addition of Section 1501.3 and 1501.4 to read as follows:
- 1501.3 Seizure of Spray Finishing Equipment. When it is found or discovered that spray finishing

operations are being conducted outside of, or without an approved spraying room or booth equipped with an approved fire extinguishing system, the Chief or representative shall be authorized to obtain a warrant to seize, take or remove or cause to be removed at the expense of the owner any spray gun nozzles, compressors, hoses, attachments, property or any other tool, device, instrument or any item(s) used in the spray finishing process. Seizure of equipment will be made in accordance with applicable laws.

Mere possession of spray finishing equipment outside of or without an approved spraying room or booth with an approved fire extinguishing system may not be grounds for seizure. However, if it can be determined through observation and investigation that such equipment has been used in a spray finishing operation, the equipment can be seized as stated above. This determination should be based on signs that a hazardous condition exists by means of fumes or vapors present in the vicinity and/or evidence that finishing has occurred by observance of wet paint and/or over spray.

1501.4 Disposition of Seized Spray Finishing Equipment. Property seized under authority granted by Section 1501.3 shall be held until all legal proceedings in the matter have been resolved. If a criminal case was filed, the property shall be held until a final conviction has been entered in the case. The Fire Department shall dispose of the property as required by applicable law and procedures of the City of Arlington and the State of Texas. Disposition could include, but is not limited to, auctioning off the equipment or releasing the equipment back to the owner.

96. The amendment of Section 1504.1.4, entitled Limited Spraying Spaces, by the addition of Section 1504.1.4.5, to read as follows:

1504.1.4.5 Automatic Sprinkler Protection. All rooms or areas used for limited spraying shall be protected by approved automatic sprinkler protection designed in accordance with NFPA No. 13 for an Extra Hazard Occupancy and NFPA 33

97. The amendment of Section 1504.6, entitled Fire protection, to read as follows:

1504.6 Fire protection. New and existing spray booths and spraying rooms shall be protected by approved automatic fire-extinguishing systems. Such systems shall be extended to protect exhaust plenums,

exhaust ducts and both sides of dry filters when such filters are used. For installation of automatic sprinklers in ducts, see the Mechanical Code.

98. The amendment of Section 2302 entitled Definitions, by the addition of a second paragraph to the definition of HIGH-PILED STORAGE, to read as follows:

Any building exceeding 12,000 sq. ft. that has a clear height in excess of 12 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage and shall comply with the provisions of this section. When a specific product cannot be identified, a fire protection system shall be installed as for Class IV commodities, to the maximum pile height.

99. The amendment of Section 2306.7, entitled Smoke and heat removal, to read as follows:

2306.7 Smoke and heat removal. Where smoke and heat removal is required by Table 2306.2, smoke and heat vents shall be provided in accordance with section 910. A mechanical smoke exhaust system installed in accordance with Section 910.4 may be substituted for the smoke and heat vents when approved by the Fire Code Official and the Building Official. Where curtain boards are required by Table 2306.2, they shall be provided in accordance with Section 910.3.4.

100. The amendment of Section 2404.20, entitled Standby Personnel, to read as follows:

2404.20 Standby personnel. When, in the opinion of the Fire Code Official, it is essential for public safety in a place of assembly or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall employ standby personnel to remain on duty during the times such places are open to the public, or when such activity is being conducted.

Before each performance or the start of such activity, standby personnel shall keep diligent watch for fires during the time such place is open to the public or such activity is being conducted and take prompt measures as directed by the Fire Chief. Such duties may include, but not be limited to, extinguishment of fires that occur and to assist in the evacuation of the public from the structure.

The Fire Code Official shall determine the number of standby personnel required.

101. The amendment of Section 2703.3.1.4, entitled Responsibility for Cleanup, to read as follows:

2703.3.1.4 Responsibility for Cleanup. A person, firm or corporation responsible for an unauthorized discharge shall institute and complete all actions necessary to remedy the effects of such unauthorized discharge, whether sudden or gradual, at no cost to the City of Arlington. When deemed necessary by the Chief or authorized representative, cleanup may be initiated by the Fire Department or by an authorized individual or firm. Costs associated with such cleanup and disposal shall be borne by the owner, operator or other person responsible for the unauthorized discharge, in accordance with the provisions of the "Nuisance" Chapter of the Code of the City of Arlington.

102. The addition of Section 2703.3.1.5, entitled Abandoned Hazardous Materials, to read as follows:

2703.3.1.5 Abandoned Hazardous Materials. It shall be the duty of the owner, occupant or person otherwise having supervision or control of any lot, tract or parcel of land, or portion thereof, or any building or portion thereof, whether occupied or unoccupied, improved or unimproved, on or in which abandoned hazardous materials are identified to secure and/or dispose of such hazardous materials in a manner approved by the Chief or authorized representative at no cost to the City of Arlington. When deemed necessary by the Chief or authorized representative, such remedial action may be initiated by the Fire Department. Abatement and reimbursement for costs shall be in accordance with the provisions of the "Nuisance" Chapter of the Code of the City of Arlington.

"Abandoned hazardous materials" shall include but not be limited to clandestine drug lab chemicals or other chemicals that have been deserted or discarded by their original owner or user, or chemicals for which the owner or user cannot be identified and located within a reasonable time under the circumstances existing at the time the chemicals are discovered or identified.

103. The amendment of Section 3301.1.3, entitled Fireworks, to read as follows:

3301.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

EXCEPTIONS:

1. Only when approved for fireworks displays, storage and handling of fireworks as provided in Section 3304 and 3308.
 2. The use of fireworks for approved display as permitted in Section 3308.
104. The amendment of Section 3302, entitled Definitions, under "FIREWORKS" to read as follows:

FIREWORKS. Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration, detonation, and/or activated by ignition with a match or other heat producing device that meets the definition of 1.4G fireworks or 1.3G fireworks as set forth herein.

105. The amendment of Section 3308.6 entitled Installation of mortars, by the addition of Section 3308.6.1 to read as follows:

3308.6.1 Electric Ignition. Electric ignition shall be used for mortars of three inches (3") or greater in diameter. Upon approval by the Chief or authorized representative, manual ignition may be used. Electrical firing units shall be in accordance with Section 3308.12.

106. The amendment of Section 3308.11, entitled Retail display and sale, to read as follows:

3308.11 Retail display and sale. Retail display and sale of fireworks is prohibited.

107. The addition of Section 3308.12, entitled Electrical Fire Units, to read as follows:

3308.12 Electrical Fire Units

3308.11.1 General. Electrical firing units shall be in accordance with Section 3308.12.

3308.11.2 Wiring. Electrical wiring associated with an electrical firing unit shall be prevented from contacting metal objects in contact with the ground.

3308.11.3 Power Supply. AC-powered electrical firing units shall be isolated from the power source using an isolation transformer.

3308.11.4 Security. Electrical firing units shall require operation of a key-operated switch or other similar device to prevent unauthorized operation.

EXCEPTION: Hand-held electrical firing units connected to fireworks only during a display.

3308.12.5 Manually activated firing units. Manually activated electrical firing units shall require two or more distinct actions to apply electric current to an electric match.

3308.12.6 Automatic-firing units. Automatic-sequencing-type electrical firing units shall include a momentary contact switch which must be held to cause application of current to an electric match and which will immediately disconnect current to all electric matches upon release.

3308.12.7 Testing of firing circuits. The pyrotechnic operator shall ensure that personnel are kept at a safe distance from fireworks which are connected to electrical firing units during testing. Electrical firing units with integral test circuits shall be designed to limit the maximum current output during a test to 0.05 ampere or to 20 percent of the no-fire current of electric matches, whichever is less. Multitesters shall not be used for testing unless the maximum current output has been measured and determined not to exceed the current output limits for integral test circuits.

108. The addition of Section 3309, entitled Pyrotechnic special effects material, to read as follows:

Section 3309 - PYROTECHNIC SPECIAL EFFECTS MATERIAL

3309.1 General. Temporary storage, use and handling of pyrotechnic special effects material used in motion picture, television, theatrical and group entertainment productions shall be in accordance with Section 3309.

3309.2 Classification of Materials. Pyrotechnic special effects material shall be classified in accordance with DOT regulations and procedures.

3309.3 Construction of Magazines. Magazines used for the storage of pyrotechnic special effects material shall be constructed in accordance with Section 3304.6.

3309.4 Storage.

3309.4.1 Fireworks 1.4G. Fireworks 1.4G (Class C common fireworks) shall be stored in accordance with the requirements for low explosives.

3309.4.2 Other pyrotechnic special effects material.

3309.4.2.1 General. Storage of pyrotechnic special effects material other than fireworks 1.4G (Class C Common fireworks) shall be in accordance with the requirements of Sections 3304 and 3309.4.2. Containers of explosive materials shall be closed when stored.

3309.4.2.2 Storage magazines.

3309.4.2.2.1 Within buildings. Explosives stored within a building shall not exceed 50 pounds (22.7 kg). Low explosives stored within a building shall be stored in a Type 2 or 4 magazine. High explosives shall be stored in a Type 2 magazine.

3309.4.2.2.2 Outside of buildings. Pyrotechnic special effects material which is to be stored outdoors shall be stored in a Type 2 or 4 magazine. Pyrotechnic special effects material which is classified as a high explosive, including detonating cord and detonators that will mass detonate, such as fuse caps, shall be stored in a Type 2 magazine.

When a Type 4 magazine is used for outdoor storage, such storage shall be in a constantly attended location or, if unattended, shall have wheels removed or the magazine immobilized by kingpin locking devices or by other approved security measures. When a quantity in excess of 50 pounds (22.7 kg) or explosive materials is stored outside of a building, such storage shall be located in accordance with nationally recognized standards.

3309.4.3 Storage against walls. Explosive materials within a magazine shall not be placed directly against interior walls and shall not interfere with ventilation. To prevent contact of stored explosive materials with walls, a nonsparking lattice-work or other nonsparking material is allowed to be used.

3309.4.4 Marking of containers. Containers of explosive material shall be stored such that identifying marks are visible. Stocks of explosive materials shall be stored so they can be easily counted and checked upon inspection.

3309.4.5 Unpacking and repacking containers. Containers of explosive materials shall not be unpacked or repacked inside a magazine or within 50 feet (15 250 mm) of a magazine, and shall not be unpacked or repacked close to other explosive materials.

EXCEPTION: Unpacking and repacking of fiberboard and other nonmetallic containers.

3309.4.6 Tools. Tools used for opening or closing containers of explosive materials shall be of nonsparking materials. A wood wedge and a fiber, rubber or wooden mallet shall be used for opening or closing wood containers of explosive materials. Metal tools, other than nonsparking transfer conveyors, shall not be stored in magazines containing high explosives.

EXCEPTION: Metal slitters are allowed to be used for opening fiberboard containers.

3309.5 Smoking and Open Flames. Controls on smoking and open flames shall be in accordance with Section 3304.7.2.

3309.6 Pyrotechnic/Flame Effects Operators. A pyrotechnic/flame effects operator shall obtain required permits and be responsible for notifying the Chief prior to using the pyrotechnic special effects material. The pyrotechnic and/or flame effects operator shall have the authority and responsibility for the storage, use and handling of the pyrotechnic special effects material. The authority of the pyrotechnic/flame effects operator shall not be assumed by anyone and shall be superseded only by the Chief or designated representative.

3309.7 Use of Pyrotechnic Special Effects Material.

3309.8.1 General precautions.

3309.8.1.1 Demonstration and approval. When required by the Chief, a test shall be conducted to demonstrate the safe use of pyrotechnic special effects material prior to normal use.

The use of pyrotechnic special effects material shall be approved by the pyrotechnic operator in charge.

3309.8.1.2 Preparation. The company or producer shall allocate sufficient time to the pyrotechnic operator to prepare for the transportation, packing, storing and daily securing, and to dispose of or

otherwise handle pyrotechnic special effects material in a safe manner.

3309.8.1.3 Crowd control. Onlookers shall be kept at a safe distance from the area where the pyrotechnic special effects material is discharged and so restrained until the area is cleared.

3309.8.2 Smoke control. When pyrotechnic special effects material is fired within a building, the quantity of smoke developed shall not obscure the visibility of exit signs or paths of egress travel.

The maximum density of smoke shall be approved, and the pyrotechnic operator shall ensure that the maximum density is not exceeded.

When required by the chief, provisions shall be made to confine smoke generated by pyrotechnic special effects material to an approved area and to remove such smoke from the building.

3309.8.3 Binary explosives. When binary explosives are used, the compounding and firing shall be performed by a pyrotechnic operator. Firing shall be subject to the conditions described in the permit.

3309.8.4 Surplus materials. Surplus materials shall be properly stored until it can be disposed of in a safe manner.

3309.9 Standby Personnel and Equipment. When necessary for the preservation of life or property, the Chief is authorized to require the attendance of standby personnel and fire equipment.

109. The amendment of Section 3403.6, entitled Piping systems, to read as follows:

3403.6 Piping systems. Piping systems, and their component parts, for flammable and combustible liquids shall be in accordance with this section. An approved method of secondary containment shall be provided for underground tank and piping systems.

110. The amendment of Section 3404.2.7.10, entitled Leak Reporting, to read as follows:

3404.2.7.10 Leak Reporting. A consistent or accidental loss of liquid, or other indication of a leak from a tank system, shall be reported immediately to the fire department, the Fire Code Official and other authorities having jurisdiction. Leaking tanks shall be promptly emptied and removed from the ground.

111. The amendment of Section 3404.2.9.5.1, entitled Aboveground tanks located outside, above grade, to read as follows:

3404.2.9.5.1 Aboveground tanks located outside, above grade. The storage of Class I and Class II liquids in aboveground tanks outside of buildings is prohibited within corporate limits of the City of Arlington.

EXCEPTIONS:

1. Waste automotive crankcase oil may be stored in a permanent approved listed aboveground tank.
2. Class I and Class II fuels stored and dispensed at non-public locations at an approved aboveground dispensing station meeting the requirements of Chapter 22.
3. Aircraft Fuel-dispensing Stations may be designed, constructed and operated in accordance with Chapters 11 and 22.

112. The amendment of Section 3404.2.11.5, entitled Leak prevention, to read as follows:

3404.2.11.5 Leak prevention. Leak prevention for underground tanks shall comply with this section. An approved method of secondary containment shall be provided for underground tank and piping systems.

113. The amendment of Section 3404.2.11.5.2, entitled Leak detection, to read as follows:

3404.2.11.5.2 Leak Detection. Underground storage tank systems shall be provided with an approved method of leak detection from any component of the system that is designed and installed in accordance with NFPA 30 and as specified in Section 3404.2.1.5.3.

114. The amendment of Section 3404.2.11.5, entitled Leak prevention, by the addition of Section 3404.2.11.5.3, to read as follows:

3404.2.11.5.3 Dry Sumps. Approved sampling tubes of a minimum 6" in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12" below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling tube at the corners of the

excavation with a minimum of 4 tubes. Sampling tubes shall be placed in the product line excavation within 10 feet of the tank excavation and one every 50 feet routed along product lines towards the dispensers, a minimum of two are required.

115. The amendment of Section 3404.2.13.1.3, entitled Out-of-Service for 1 Year, by the addition of the following paragraph, to read as follows:

Tanks may be abandoned in place only if a precision tightness test indicates the tanks and lines are not leaking and if laboratory analysis of the soil near the tanks(s) and lines indicate contamination is not present.

116. The addition of Sections 3406.5.4.5 and 3406.5.4.5.1 through 3406.5.4.5.3 to read as follows:

3406.5.4.5 Commercial, industrial, governmental or manufacturing. Dispensing of Class II and III motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles located at commercial, industrial, governmental or manufacturing establishments is allowed where permitted, provided such dispensing operations are conducted in accordance with Sections 3405.4.5.1 through 3406.5.4.5.3.

3406.5.4.5.1 Site requirements.

1. Dispensing may occur at sites that have been permitted to conduct mobile fueling.
2. A detailed site plan shall be submitted with each application for a permit. The site plan must indicate:
 - a. all buildings, structures, and appurtenances on site and their use or function;
 - b. all uses adjacent to the property lines of the site;
 - c. the locations of all storm drain openings, adjacent waterways or wetlands;
 - d. information regarding slope, natural drainage, curbing, impounding and how a spill will be retained upon the site property; and,
 - e. the scale of the site plan.
3. The Fire Code Official is authorized to impose limits upon; the times and/or days during which mobile fueling operations are allowed to take place, and specific locations on a site where fueling is permitted.
4. Mobile fueling operations shall be conducted in areas not generally accessible to the public.

5. Mobile fueling shall not take place within 15 feet (4.572 m) of buildings, property lines or combustible storage.

3406.5.4.5.2 Refueling Operator Requirements.

1. The owner of a mobile fueling operation shall provide to the jurisdiction a written response plan which demonstrates readiness to respond to a fuel spill, carry out appropriate mitigation measures, and to indicate the process to properly dispose of contaminated materials when circumstances require.
2. The tank vehicle shall comply with the requirements of NFPA 385 and Local, State and Federal requirements. The tank vehicle's specific functions shall include that of supply fuel to motor vehicle fuel tanks. The vehicle and all its equipment shall be maintained in good repair.
3. Signs prohibiting smoking or open flames within 25 feet (7.62m) of the tank vehicle or the point of fueling shall be prominently posted on 3 sides of the vehicle including the back and both sides.
4. A fire extinguisher with a minimum rating of 40 BC shall be provided on the vehicle with signage clearly indicating its location.
5. The dispensing nozzles and hoses shall be of an approved and listed type.
6. The dispensing hose shall not be extended from the reel more than 100 feet (30.48m) in length.
7. Absorbent materials, non-water absorbent pads, a 10-foot (3.048 m) long containment boom, an approved container with lid, and a non-metallic shovel shall be provided to mitigate a minimum 5 gallon fuel spill.
8. Tanker vehicles shall be equipped with a fuel limit switch such as a count-back switch, limiting the amount of a single fueling operation to a maximum of 500 gallons (1893 L) between resetttings of the limit switch.
EXCEPTION: Tankers utilizing remote emergency shut-off device capability where the operator constantly carries the shut-off device which, when activated, immediately causes flow of fuel from the tanker to cease.
9. Persons responsible for dispensing operations shall be trained in the appropriate mitigating actions in the event of a fire, leak or spill. Training records shall be maintained by the dispensing company and shall be made available to the Fire Code Official upon request.
10. Operators of tank vehicles used for mobile fueling operations shall have in their possession

at all times an emergency communications device to notify the proper authorities in the event of an emergency.

3406.5.4.5.3 Operational Requirements.

1. The tank vehicle dispensing equipment shall be constantly attended and operated only by designated personnel who are trained to handle and dispense motor fuels.
 2. Prior to beginning dispensing operations, precautions shall be taken to assure ignition sources are not present.
 3. The engines of vehicles being fueled shall be shut off during dispensing operations.
 4. Night-time fueling operations shall only take place in adequately lighted areas.
 5. The tank vehicle shall be positioned with respect to vehicles being fueled so as to preclude traffic from driving over the delivery hose and between the tank vehicle and the motor vehicle being fueled.
 6. During fueling operations, tank vehicle brakes shall be set, chock blocks shall be in place and warning lights shall be in operation.
 7. Motor vehicle fuel tanks shall not be topped off.
 8. The dispensing hose shall be properly placed on an approved reel or in an approved compartment prior to moving the tank vehicle.
 9. The Fire Code Official and other appropriate authorities shall be notified when a reportable spill or unauthorized discharge occurs.
117. The amendment of Section 3804.2, entitled Maximum capacity within established limits, by adding Exception #2, to read as follows:
2. Except as permitted in 308.3 and 3804.3.2, LP-gas containers are not permitted in residential areas.
118. The amendment of Section 3804.3.2, entitled Spas, Pool Heaters and other listed devices, to read as follows:
- 3804.3.2 Spas, Pool Heaters and other listed devices. Where natural gas service is not available, LP-Gas containers are allowed to be used to supply spa and pool heaters or other listed devices. Such containers shall not exceed 250-gallon water capacity. See Table 3804.3 for location of containers.

Section 1.04 Adoption of Appendices.

The following Appendices contained in the International Fire Code, 2003 Edition, are adopted and made a part of this Fire Code:

Appendix B - Fire-flow Requirements for Buildings;

Appendix E - Hazard Categories;

Appendix F - Hazard Ranking;

Appendix G - Cryogenic Fluids - Weight and Volume
Equivalents

The following Appendices contained in the International Fire Code, 2003 Edition, are omitted from this Fire Code:

Appendix A - Board of Appeals

Appendix C - Fire Hydrant Locations and Distribution

Appendix D - Fire Apparatus Access Roads

2.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed Two Thousand (\$2000) dollars for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

3.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

4.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

5.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

6.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

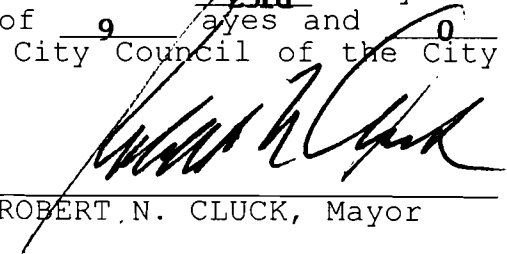
7.

The caption of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

8.

This ordinance shall become effective November 1, 2005.

PRESENTED AND GIVEN FIRST READING on the 9th day of August, 2005, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the 23rd day of August, 2005, by a vote of 9 ayes and 0 nays at a regular meeting of the City Council of the City of Arlington, Texas.



ROBERT N. CLUCK, Mayor

ATTEST:


BARBARA G. HEPTIG, City Secretary

APPROVED AS TO FORM:
JAY DOEGEY, City Attorney

BY

